

THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID J. CATANZARO,

Plaintiff,

VS.


WALMART STORES, INC.,
WALMART.COM;
and DOES 1 THROUGH 50

Defendants.

Case No. 3:22-cv-01754

JUDGE MALACHY E.
MANNION

JURY TRIAL DEMANDED

FILED
SCRANTON
SEP 14 2023
PER 
DEPUTY CLERK

MOTION FOR RECONSIDERATION

Plaintiff David J. Catanzaro hereby files this motion for reconsideration, to allow Plaintiff to identify Does 1-50, to amend the complaint and to add the Defendants accordingly. In support of this motion the Plaintiff states as follows:

1. On 8/2/23 Plaintiff dismissed with prejudice defendants Walmart Stores, Inc. and Walmart.com.
2. On 8/8/23 this Honorable court terminated both defendants from the litigation.
3. On 8/10/23 this Honorable court entered an Order wherein the Plaintiff would have thirty (30) days from the date of the order to identify Does 1-50. With failure to do so, would result in this matter being dismissed.

4. On 9/13/23 Plaintiff went on Pacer to review the docket in the last active Case filed with the court, Case No. 3:22-cv-1768 and accidentally imputed the case in question Case No. 3:22-cv-01754 (since both case numbers come up when sliding the curser over the case input box, while holding down the left click portion of the mouse, it was somewhat easy to make this mistake).

5. This was the first time Plaintiff seen the Order of 8/10/23.

6. Plaintiff receives ALL communications from this Honorable court through the United States Postal Service.

7. Plantif is not able to upload documents on Pacer, and always files with the Clerk.

8. Plantif has and continues to depend on the court to mail out ALL documents pertaining to all matters with his Honorable court.

9. Plaintiff did-not receive the Order of 8/10/23 through the United States Postal Service.

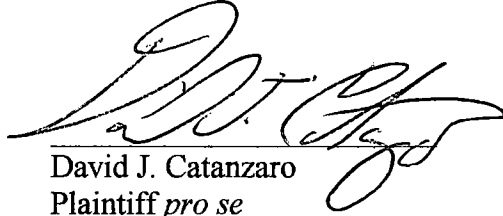
10. Although Plaintiff has received all other documents through the USP service, he did not receive this one.

11. Over the past several years since Covid, there has been more unusual delays and non-delivery of mail by the USP service.

12. I have checked with this Honorable court and they confirmed it was mailed out, but again Plaintiff never received it.

13. Based on the fact that Plaintiff never received the letter informing him of the court's Order and Plantif diligently prepared this Motion for Reconsideration the very next day after learning about the order, Plantif is humbly asking this Honorable court to terminate the order of 8/10/23 and to allow Plantif 30 days to identify Does 1-50, and to amend the complaint to add said defendants.

14. Accordingly, Plaintiff respectfully requests that this Honorable court terminate or vacate the Order of 8/10/23 and allow Plaintiff thirty (30) days to identify Does 1-50, and to amend the complaint to add said defendants.

A handwritten signature in black ink, appearing to read 'D.J. Catanzaro', is positioned above the printed name and address.

David J. Catanzaro
Plaintiff *pro se*
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